

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA AND
ANGELA ARGUETA, REVENUE OFFICER
INTERNAL REVENUE SERVICE

Civil Action No. 4:11-CV-2041

Plaintiffs

V.

Dean Paul Olvany,

Defendant.

SPECIAL NOTICE TO APPEAR
IN OPPOSITION TO
ORDER TO SHOW CAUSE
AND TO
DEMUR TO THE ACTION and
CHALLENGE JURISDICTION

To; The Clerk of the United States District Court For the Middle District Of
Pennsylvania, And to the Honorable Court.

NOTICE TO APPEAR

IN OPPOSITION TO ORDER TO SHOW CAUSE

AND TO

DEMUR TO THE ACTION

AND TO

RESPECTFULLY CHALLENGE JURISDICTION

AND NOW, this 25th day of November, 2011, the adult male and Christian
Citizen Dean Paul Olvany (hereafter I or in first person) makes this SPECIAL
APPEARANCE in OPPOSITION TO ORDER TO SHOW CAUSE and to

FILED
WILLIAMSPORT, PA
NOV 29 2011
MARY E. D'ANDREA, CLERK
Per Deputy Clerk

DEMUR TO THE ACTION and respectfully CHALLENGE JURISDICTION of this honorable court over me in regard to Plaintiff's NOTICE PLEADING as follows;

SPECIAL JUDICIAL NOTICE

With all Notice Pleadings, there is a endless number of presumptions, that if not addressed directly and denied accordingly, each presumption is presumed truthful. Let the record now and for all times, clearly show that I, Dean Paul Olvany, am an adult male domiciled in Pennsylvania and that I deny any and all presumptions, sat forth, revealed, unknown, stated, concealed, assumed, presumed, referred to, regarded to, referenced etc. as being factual presumption of facts related to me, or my status, with this matter asserted by the Plaintiff's notice pleading. Such as but not limited to "upon the complaint" as asserted by Plaintiffs, I ask, what verified complaint? I have never seen the complaint. I hereby contest any and all allegations in the alleged Complaint or this show cause filing as being admitted to for the purpose of this enforcement pleading. Jurisdiction must be proven and verified.

CHALLENGE OF JURISDICTION

My special appearance in and of itself, is not acknowledgement of this Honorable Courts Jurisdiction, this Honorable Court must obtain Jurisdiction in

and of it's owe jurisdictional restraints as mandated. This appearance is not a waiver of my unalienable rights, and all my rights are demanded at all times and waived at no time. Should this Honorable Court not have jurisdiction I respectfully ask that my opposition and demur be forwarded to a Court, if any, with Jurisdiction.

The notice pleading devise, offered by Plaintiffs becomes a commercial contract of which I do not wish to take part of or be a party to now or ever. If the Plaintiffs have a valid complaint against me let them commence a proper action complete with full disclosure and discovery in compliance with US District Court Rules and Procedures.

Plaintiffs have improperly served me with the action staging the matter for a dismissal based on improper service, lacking in merit and especially lacking in subject matter jurisdiction.

For this Court to have subject matter jurisdiction there must be a Federal question, a tax issue before the court. For there to be a tax issue there must be a verified tax assessment or substitute for return (SFR) followed by a deficiency notice as mandated by Congress.

Plaintiffs, with their notice pleading, are attempting to deceive the court into assuming forms 1040 are in possession of me in relation to their notice pleading. I have never been in possession of any of the documents the notice pleading is

attempting to obtain by order of this Honorable Court.

I wrongfully assumed the Plaintiffs were in possession of the verified tax assessment or SFR and deficiency notice and have repeatedly demanded that a copy be provided me for my inspection followed by my approval or disapproval of each. None have ever been provided me nor have they claimed such exist or in their possession as admitted to in their pleading.

I filed a Freedom Of Information Act Request with the document records center for the Internal Revenue Service, wherein, I was asking for the verified tax assessment, SFR or any other forms 1040 and deficiency notice with their response being none exist.

With extensions of time being asked for and granted the document center, they were unable to provide the documents. Therefore I must assume these documents never existed and it is my sworn statement I have never been in possession of nor do I have knowledge of their existence.

THEREFORE this matter as filed before the court should be dismissed for lack of jurisdiction.

OPPOSITION TO ORDER TO SHOW CAUSE

And DEMUR TO THE NOTICE PLEADING

I stand in opposition to any order compelling me to contract with the Plaintiffs, for lack of jurisdiction and furthermore I demur to the action for the

Plaintiffs have failed to state a claim upon which relief can be granted.

HOWEVER I concur that this Honorable court has general jurisdiction sufficient to remove all erroneous liens and furthermore order all property(s) and accounts seized in this matter returned.

WHEREFORE since the above foresaid considerations overwhelmingly suggest this Court lacks jurisdiction and interest, the matter is properly and should be for all times dismissed with order denied.

FUTHERMORE since the Plaintiffs have failed to verify Federal jurisdiction all subsequent liens and levies should be ordered removed and all other property(s) taken or levied ordered returned.

I declare under penalty of perjury that the foregoing is true and correct.

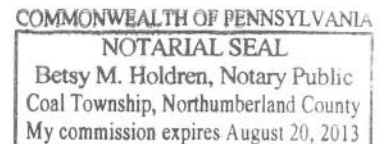
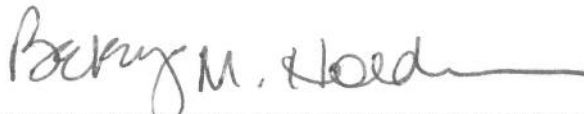
Respectfully Submitted by



Date Aug. ____ 2011

Executed before me this 28 day of November, 2011.

Notary name seal;



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Plaintiffs

ORDER

V.

Dean Paul Olvany,

Defendant.

ORDER

IT IS ORDERED that the matter against Dean Paul. Olvany be dismissed for failure to state a claim upon which relief can be granted and for lack of subject matter jurisdiction.

IT IS FURTHER ORDERED that Plaintiffs remove all liens and levies upon or against the name or property of Dean Paul Olvany or any variation thereof his name and it is the order of this court that all properties and assets seized from the Defendant be returned to the same within 30 days and verification of compliance be provided into the record and this court or be held in contempt

DJ Yvette Kane _____

United States District Court Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA AND)
ANGELA ARGUETA, REVENUE OFFICER)
INTERNAL REVENUE SERVICE)

Civil Action No.

CERTIFICATE OF SERVICE

Plaintiffs,

v.

DEAN P. OLVANY,
Defendant.

I certify under pealties of perjury that a true anc complete copy of the above mentioned was served upon the following by Regular US Mail.

Date; 28 of November, 2011

Signed Dean Paul Olvany
Dean Paul Olvany

PETER J. SMITH United States Attorney

s/ D. Brian Simpson
D. BRIAN SIMPSON
Assistant United States Attorney
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